

Application No.: 10/582,056
Filing Date: January 29, 2007

REMARKS

Claims 1 and 3-10 are presently pending. Support for amendments to the claims is discussed below. No new matter has been added herewith. The following addresses the substance of the Office Action.

Indefiniteness

Claim 7 was rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the claim recited plural “agents” and “medicaments,” while base claim 6 recited a singular “agent” and a singular “medicament.” The Applicant has amended Claim 7 to recite singular “agent” and singular “medicament,” for which there is antecedent basis in Claims 4 and 6. Accordingly, the Applicant respectfully requests that the rejection be withdrawn.

Written Description

Claims 1 and 3-10 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. In particular, the Examiner indicated that the specification does not provide support for the use of any type of medium. The Applicant has amended Claim 1 to recite “...exposing test lymphocytes from said organism to a target antigen in a medium for cell culture...” Support for the amendment is found in original Claim 1, which indicated that the medium contains regular ingredients of cell culture, and in the specification as filed, which discloses, for example at page 6, lines 24-27, the use of cell culture media (e.g., 1640 culture medium).

In view of the amendment to the Claim 1, all of the pending claims are in compliance with the written description requirement and the Applicant respectfully requests that the rejection be withdrawn.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other

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broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of Applicants' amendments to the Claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 16, 2010

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